

Article 17.

Childhood Vaccine-Related Injury Compensation Program.

§ 130A-422. Definitions.

The following definitions apply throughout this Article, unless the context clearly implies otherwise:

- (1) "Claimant" means any person who files a claim for compensation for a vaccine-related injury pursuant to G.S. 130A-425(b). In the case of a minor or incompetent, a claim may be filed by a guardian ad litem, parent, guardian, or other legal representative; and, in the case of a decedent, the claim may be filed by an administrator, executor, or other legal representative.

In the event that more than one person claims to have suffered compensable injuries as the result of the administration of a covered vaccine to a single individual, all these persons shall be treated for purposes of this Article as if they were a single claimant. A single joint claim shall be filed on behalf of all these persons, and the limitations on awards set forth in G.S. 130A-427(b) apply to that joint claim or subsequent joint action as if it were a claim filed on behalf of a single individual.

- (2) "Commission" means the North Carolina Industrial Commission.
- (3) "Covered vaccine" means a vaccine administered pursuant to the requirements of G.S. 130A-152.
- (4) "Respondent" means the person or entity the claimant identifies in the claim as the agent of causality of the vaccine-related injury.
- (5) "Vaccine-related injury", with respect to persons engaged in the manufacture, distribution, or sale, or administration of a covered vaccine, means any injury, disability, illness, death, or condition caused by the vaccine. "Vaccine-related injury" shall not mean any injury, disability, illness, death, or condition caused by the method of injection of the vaccine into the body. (1985 (Reg. Sess., 1986), c. 1008, s. 1; 1987, c. 215, s. 8.)